

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.: 10/790,164

Art Unit: 3728

Applicant: Saunders N. Whittlesey

Examiner: PATTERSON, MARIE D

Filed: March 1, 2004

Confirmation No.: 9996

For: SHOE WITH SENSORS, CONTROLLER
AND ACTIVE-RESPONSE ELEMENTS
AND METHOD FOR USE THEREOF

Attorney Docket No.: S03-04

DECLARATION OF DOUGLAS K. ROBINSON UNDER 37 C.F.R. § 1.131

Mail Stop Amendment

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Sir:

I, Douglas K. Robinson, hereby declare that:

1. I am a U.S. citizen, and reside at 481 Fruit Street, Mansfield, MA 02048.
2. I am an inventor of the invention disclosed and claimed in the above-identified utility patent application.
3. I am, and at the time of the invention I was, employed by the ACUSHNET COMPANY, 333 Bridge Street, Fairhaven, Massachusetts 02719, the Assignee of record of the entire right, title and interest in the invention.
4. This declaration is filed to show that prior to March 10, 2003, I conceived the subject matter of the claimed invention and constructively reduced the invention to practice upon filing the above-identified patent application.

5. Attached hereto is Exhibit A. Exhibit A is a copy of the laboratory notebook pages demonstrating prior conception of the claimed invention. For example, the concept of the shoe claimed herein is described in the laboratory pages. Specifically, the pages detail the concept of a "smart shoe" that remains flexible when walking but senses torsional forces during a golf swing and stiffens the lateral midsole of the shoe for stability, where the shoe uses piezoelectric technology. Certain information has been redacted in accordance with standard practice. However, all redacted dates are prior to March 10, 2003.


6. I have reviewed the document of Exhibit A. Although the dates of Exhibit A have been redacted, the dates are all prior to March 10, 2003.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date:

Feb. 9, 2007


Douglas K. ROBINSON

Attachment

Exhibit A

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PROJECT NAME _____ NOTEBOOK NO. _____

1. MASS.

*2 New Concept: GOLF SHOE THAT RESPONDS TO GOLFER'S SWINGING
TO CREATE FLEXIBLE LATERAL PLATFORM

USE PIEZOELECTRIC TECHNOLOGY

- LOW POWER USAGE

ADVANCED CERAMETRICS, INC.

MEETING WITH RICHARD "BOB" CASS, PRESIDENT AND FARRUK MOHAMMADI, Sr. Scientist
AT ACT FACILITY IN LANCASTER, PA (ALSO PRESENT DR. HANIN, SANDY KANTILAS)
AGREEMENT → NEED TO BE FITTED TO FIRM SURFACE FARRUK MOHAMMADI, Sr. Scientist

- * NEED TO DETERMINE VALUE (IN LBS) OF NEEDED FORCE AGAINST FOOT
WHERE

WE REVISITED OUR CONCEPT FOR A SMART GOLF SHOE THAT WOULD REMAIN
SOFT AND FLEXIBLE WHEN WALKING BUT FIRMS UP ON THE LATERAL
SIDE OF EACH SHOE DURING THE GOLF SWING.

ACT REVISITED THEIR PRODUCTS, CURRENTLY IN HAND TENNIS RACKET AND
SKI. THE PIEZOELECTRIC POLAR COMPOSITES DEFER SENSING
PROPERTIES THAT ARE CONTROLLED BY ELECTRONICS.